



## CODES AND ORDINANCES JOINT COMMITTEE MINUTES

REGULAR MEETING  
Tuesday, July 20, 2016

The Codes and Ordinances Joint Committee convened in a regular meeting on Tuesday, July 20, 2016, at 505 Barton Spring Road, One Texas Center, Room #500, in Austin, Texas.

Greg Dutton called the meeting to order at 6:03 p.m.

### Subcommittee Members in Attendance:

Fayez Kazi	Patricia Seeger
Ann Denkler	Nuria Zaragoza
Betsy Greenberg	James Schissler

### City Staff in Attendance:

Greg Dutton, Planning and Zoning Department  
Lauren Avioli, Neighborhood Housing and Community Development  
Erica Leak, Neighborhood Housing and Community Development  
Brent Lloyd, Law

### Others in Attendance:

Shoshana Krieger	Bob Thompson
Robin Wilkins	Martha Cotera
Sandra Torres	Greta Goldsby
Stephanie Trinh	Stephanie Park
Sammy Hall	Christy Sanchez
Johnny Burkh	Juliana Gonzales
A.J. Bingham	Alice Glasco
Mercedes Segundo	Heather Way
Stuart Hersh	

## 1. CITIZEN COMMUNICATION: GENERAL

- a. Stuart Hersh – comments (see notes)

## 2. APPROVAL OF MINUTES

- a. None.

## 3. NEW BUSINESS

- a. **Elect a Codes and Ordinances Joint Committee Chair and Vice-Chair** (Discussion and/or Possible Action).

A motion was made to elect Commissioner Zaragoza as chair of the Codes and Ordinances Joint Committee by Commissioner Seeger, seconded by Commissioner Kazi. Vote: 6-0 (Commissioner Flores absent).

A motion was made to elect Commissioner Greenberg as vice-chair of the Codes and Ordinances Joint Committee by Commissioner Denkler, seconded by Commissioner Seeger. Vote: 6-0 (Commissioner Flores absent).

**b. Approval of Codes and Ordinances Joint Committee Bylaws** (Discussion and/or possible Action).

A motion was made to approve the draft bylaws of the Codes and Ordinances Joint Committee, by Commissioner Schissler, seconded by Commissioner Kazi, with the following amendments:

- ARTICLE 7 (D): The board shall meet monthly
- ARTICLE 7 (J): The chair may limit a speaker to two minutes
- ARTICLE 8 (A): The Codes and Ordinances Joint Committee will have no committees.

Vote: 6-0 (Commissioner Flores absent).

**c. Code Amendment Process Overview.** City Staff: Greg Dutton, Planning and Zoning Department, 974-3509, [Greg.Dutton@austintexas.gov](mailto:Greg.Dutton@austintexas.gov); (Discussion).

Greg Dutton gave an overview of the code amendment process and the role that the Codes and Ordinances Joint Committee plays in the code amendment process.

No action was taken.

**4. POTENTIAL CODE AMENDMENTS: Proposed for Discussion and/or Initiation**

*Potential amendments to the code are offered for discussion and/or possible recommendation for initiation. If initiated, Staff will research the proposal and report back to the subcommittee.*

**a. None.**

**5. REGULAR AGENDA: Previously Initiated**

*Previously initiated amendments to the code are offered for discussion and possible recommendation to the full Planning Commission.*

**a. Tenant Relocation** – Discuss and consider an amendment to Title 25 of the Land Development Code regarding tenant relocation assistance requirements. City Staff: Lauren Avioli, Neighborhood Housing and Community Development, 974-3141, [Lauren.Avioli@austintexas.gov](mailto:Lauren.Avioli@austintexas.gov); (Discussion and/or Possible Action).

Lauren Avioli went over a proposed amendment that would create regulations to assist tenants who have been displaced due to a change of use or demolition of the property on which they reside. Currently there are no requirements for how notice is given by landlords to tenants and whether information or monetary assistance is provided. The proposed amendment could include a fund to provide assistance for displaced tenants; permits for demolitions and/or site

plan approval would be contingent on a fee being paid by the developer, in certain circumstances. Any eligible tenant (that meets certain criteria) would be able to apply for tenant relocation assistance. Under the proposed amendment, only PUD zoning would require an applicant to pay a fee. A nexus study would show what the fee amount should be, but once the amendment is adopted by Council, a City-funded relocation assistance program could begin.

Many of the stakeholders at the meeting indicated that they were long-term tenants who received very little notice of eviction prior to the demolition of their apartments, and that longer notice and assistance in finding new units would have been very beneficial. Many displaced tenants have a hard time finding comparable living arrangements due to increasing rents; other units can be found, but not in the same area and/or not to the same standard. Displacement also negatively impacts kids, who must often transfer to a new school, and jobs, when commute times are increased.

A motion was made to recommend the item to Planning Commission by Commissioner Seeger, seconded by Commissioner Denkler, with the following amendments:

Part 1, (F)	Conditions in the current rental market, with historically <del>low-high</del> occupancy rates, have created a relocation crisis because tenants, particularly at lower incomes, do not have sufficient time to save money for relocation costs or to find comparable housing when they are displaced as a result of demolition or redevelopment.
Part 3, (6) – Multi-family Redevelopment definition	MULTI-FAMILY REDEVELOPMENT means the demolition, <del>partial demolition</del> , or <del>or</del> <del>change in use of an existing</del> multi-family building, <del>or any portion of a multifamily building,</del> or mobile home park <del>that is reasonably likely to result in displacement.</del>
Part 3, (8) Tenant Displacement definition	TENANT DISPLACEMENT means any condition that requires a tenant to vacate a multi-family building or mobile home park due to multi-family redevelopment, where a tenant will not be relocated to another <u>comparably sized</u> unit within the same building or site.

§ 25-1-712 (C) (1)	(C) The notification required by this section must be on a form approved by the director and must: (1) be delivered: <u>(a) by the applicant or the applicant's representative, or by registered or certified mail, with return receipt requested;</u> <u>(b) to all tenants who reside within any portion of a multi-family building or mobile home park included in the permit or rezone application for which notice is required under Subsection (A),</u> <del>by the applicant or the applicant's representative or by registered or certified mail, with return receipt requested; and</del>
§ 25-1-712 (C) (2)	include the following information <u>in both English and Spanish</u> :  a description of any tenant relocation assistance that may be available under Section 25-1- <del>713</del> <u>714 (Tenant Relocation Program) or Section 25-1-714 (City Tenant Relocation Fund)</u> , including income eligibility requirements and forms for requesting assistance;
§ 25-1-712 (C) (2) (f)	New subsection: information regarding the requirements of state law for return of security deposits;
§ 25-1-712 (D)	New subsection: If an applicant requests an extension of a demolition permit for which notification under this section is required, the applicant must provide re-notification of tenants consistent with the requirements for a new application.
§ 25-1-713 (C) (1)	for a multi-family building, the date that demolition <del>is approved to begin</del> <u>activity begins</u> ; and
§ 25-1-713 (D)	New subsection: If a landowner or a landowner's agent rents a unit to a new tenant following application for a permit requiring notice under Section 25-1-712 ( <i>Tenant Notification Required</i> ), the landowner or landowner's agent must provide the tenant with notification that includes the information required under Section 25-4 1-712(C) ( <i>Tenant Notification Required</i> ).

§ 25-1-714 (B) (2) (a) (ii)	reside at the property <del>under the terms of a lease</del> on the date notice required under Section 25-1-712 (Tenant Relocation Notification) is issued; and
§ 25-1-715 (A) (2)	<del>provided as a voluntary required by the city council as a</del> condition to a rezone or other discretionary land use approval for multi-family redevelopment.
§ 25-1-717	New section: OFFENSES. (A) A person who violates a provision of this division commits an offense for each day that the violation continues. For violation of the notice requirement in Section 25-1-712 ( <i>Tenant Notification Required</i> ) and Section 25-1-713 ( <i>Additional Notification Requirements</i> ), a person commits a separate offense for each day that an individual tenant does not receive the required notification. (B) Each offense is punishable by a fine not to exceed \$500. A culpable mental state is not required and need not be proved.
Part 7, (A)	The Land Use Commission shall hold a public hearing on a zoning or rezoning application not later than the 60th day after the date the application is filed, <u>except that a hearing for an application to rezone a mobile home park for which notification to existing tenants is required under Section 25-1-712 (<i>Tenant Notification Required</i>) may not be held until 230 days after the notice is provided...</u>

Vote: 4-0 (Commissioner Kazi and Flores absent; Commissioner Schissler recusing).

## 6. OTHER BUSINESS

- a. **Update on potential upcoming and current code amendments** – City Staff: Greg Dutton, Planning and Zoning Department, 974-3509, [Greg.Dutton@austintexas.gov](mailto:Greg.Dutton@austintexas.gov); (Discussion and/or Possible Action).

The item was not discussed and no action was taken.

## 7. FUTURE AGENDA ITEMS

*Future agenda items will NOT be discussed at the current meeting, but will be offered for initiation, discussion, and/or possible recommendation to the full Planning Commission at a FUTURE meeting.*

## ADJOURNMENT

Commissioner Zaragoza adjourned the meeting without objection at 9:50 p.m.

The City of Austin is committed to compliance with the American with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. Meeting locations are planned with wheelchair access. If requiring Sign Language Interpreters or alternative formats, please give notice at least 4 days before the meeting date. Please call Greg Dutton at Planning and Development Review Department, at 512-974-3509, for additional information; TTY users route through Relay Texas at 711.

For more information on the Planning Commission Codes and Ordinances Subcommittee, please contact Greg Dutton at (512) 974-3509 or at [greg.dutton@austintexas.gov](mailto:greg.dutton@austintexas.gov)